

Clinton, Nadler, Maloney Call for GAO Investigation Into EPA's Classifying of Data

Sunday, 30 July 2006

WASHINGTON, D.C.—Senator Hillary Rodham Clinton, Congressman Jerrold Nadler, and Congresswoman Carolyn Maloney today asked the Government Accountability Office (GAO) to expand its ongoing investigation into the Environmental Protection Agency's (EPA) response to the September 11th attacks to include an examination of classified documents. A report in the New York Daily News on Friday revealed that President Bush signed an Executive Order in May 2002 authorizing the EPA Administrator to classify information as "secret," which could include documents relating to World Trade Center environmental contamination.

Earlier this year, at the request of Clinton and Nadler, the GAO agreed to investigate EPA's failure to establish an effective, science-based testing and clean-up plan in response to the post-9/11 environmental disaster. Clinton, Nadler, and Maloney expressed concern that the GAO investigation might be hampered if important information about the Agency's response to WTC contamination is kept secret. These concerns were also heightened by a 2003 EPA Inspector General report, which found that the White House instructed the EPA to issue false assurances about the air quality, and to delete cautionary statements from public statements.

In a letter sent today to the GAO, the Members wrote: "The EPA continues to refuse to fulfill its responsibility to conduct a comprehensive testing and cleanup program. The people who live, work and go to school in the area impacted by Ground Zero debris deserve to know the full extent of contamination that may exist in their neighborhoods."

Specifically, the letter requests that the GAO expand its investigation to determine:

- Whether any information was, in fact, classified as secret by the EPA pursuant to this Executive Order;
- If any of the information classified as secret pertains to the nature and/or extent of the environmental impact of the WTC collapse; and
- Whether all of the information classified as secret received this classification for legitimate national security reasons.

The full text of their letter follows:

July 31, 2006

The Honorable David M. Walker

Comptroller General of the United States

United States Government Accountability Office

441 G Street, N.W.

Washington, D.C. 20548

Dear Mr. Walker:

We are writing to request that the Government Accountability Office (GAO) amend its investigation into the Environmental Protection Agency's (EPA) response to the terrorist attacks of September 11, 2001 in New York to include an examination of documents classified as "secret" by the Agency.

An article in Friday's New York Daily News reveals that President Bush signed an Executive Order in May 2002 allowing the EPA Administrator to classify information as "secret." Although the stated reason for the Executive Order is to protect national security, this revelation raises doubts about the Agency's potential motives in classifying documents related to its response at the World Trade Center.

As you know, in August 2003, the EPA Inspector General (IG) released a report entitled "EPA's Response to the World Trade Center Collapse: Challenges, Successes and Areas for Improvement." In addition to documenting problems with EPA's limited indoor cleanup program, the IG report found that the White House instructed the EPA to issue falsely reassuring statements about the air quality, and to delete cautionary ones from public statements.

Although the EPA agreed to establish an expert panel to reexamine some of the problems identified by the IG, that panel has since been dismantled, and the Agency continues to refuse to conduct a comprehensive testing and cleanup program.

We are pleased that the GAO has already agreed to conduct an investigation into EPA's response to environmental contamination following the terrorist attacks of September 11. We are concerned, however, that the GAO investigation, and any other efforts to protect the public health and environment from WTC contamination, will be severely limited if the EPA classifies important documents.

Therefore, we ask that the GAO expand its investigation to determine:

- Whether any information was, in fact, classified as secret by the EPA pursuant to this Executive Order;
- If any of the information classified as secret pertains to the nature and/or extent of the environmental impact of the WTC collapse; and
- Whether all of the information classified as secret received this classification for legitimate national security reasons. It has been almost five years since the attacks of September 11, 2001, and people still have questions about the environmental and health effects resulting from World Trade Center contamination. The EPA continues to refuse to fulfill its responsibility to conduct a comprehensive testing and cleanup program. The people who live, work and go to school in the area impacted by Ground Zero debris, deserve to know the full extent of contamination that may exist in their neighborhoods. The victims of the terrorist attacks deserve access to any and all information necessary to protect the public health and environment.

If you need any additional information, please feel free to contact us. We stand ready to work with you to answer any questions you may have.

Sincerely,

Hillary Rodham Clinton	Jerrold Nadler	Carolyn Maloney
United States Senator	Member of Congress	Member of Congress

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